

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

HUNTERS GLEN CONDOMINIUM
ASSOCIATION,

Plaintiff,

Case No. 3:23-cv-77

vs.

STATE FARM FIRE AND CASUALTY
COMPANY,

District Judge Michael J. Newman
Magistrate Judge Caroline H. Gentry

Defendant.

ORDER: (1) DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION AND AMENDED MOTION TO COMPEL AN APPRAISAL AND STAY LITIGATION (Doc. Nos. 6, 15); (2) DIRECTING THE PARTIES TO MEET AND CONFER AND FILE THEIR 26(f) REPORT ON THE COURT'S DOCKET BY AUGUST 18, 2023; AND (3) DIRECTING THE PARTIES TO SERVE THEIR INITIAL DISCLOSURES BY SEPTEMBER 8, 2023

This case is before the Court on Plaintiff's motion and amended motion to compel an appraisal and stay litigation. Doc. Nos. 6, 15. Because the parties have, as far as the Court is aware, not met and conferred, not filed a 26(f) report, and not initiated discovery, the Court finds that Plaintiff's motion and amended motion to compel an appraisal and stay litigation are premature.

Accordingly, Plaintiff's motion and amended motion to compel an appraisal and stay litigation are **DENIED WITHOUT PREJUDICE**. Moreover, both parties **SHALL**, pursuant to Fed. R. Civ. P. 16 and Fed. R. Civ. P. 26(f), informally confer in good faith and prepare a joint report as required by Fed. R. Civ. P. 26(f).¹ The parties' Rule 26(f) report shall be filed with the Court **by August 18, 2023**. Unless otherwise agreed to by the parties in their Rule 26(f) Report,

¹ A form Rule 26(f) Report of the Parties (applicable to the Western Division at Dayton) is accessible on the Court's website at <http://www.ohsd.uscourts.gov/ohio-southern-district-forms>.

initial disclosures must be made as required by Rule 26(a)(1). Rule 26(a)(1) initial disclosures must be served upon all parties in the case **by September 8, 2023** and should not be filed with the Court unless submitted in support of a motion. After the parties file their Rule 26(f) report, the Court intends to put on a scheduling order. Subsequently, the Court will formally refer this matter to the United States Magistrate Judge during the pendency of discovery. During discovery, Plaintiff may wish to renew its motion to compel appraisal.

IT IS SO ORDERED.

August 1, 2023

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge